

TIN 1644

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

Docket No.  
**MM4454**

In Re Application Of: **Jiro HITOMI, et al**

FFR 27 2008



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/910,208	07/20/01	<b>Maher M. Haddad</b>	<b>01109</b>	<b>1644</b>	<b>4894</b>

Invention: **NOVEL CALCIUM BINDING PROTEINS**

**COMMISSIONER FOR PATENTS:**

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

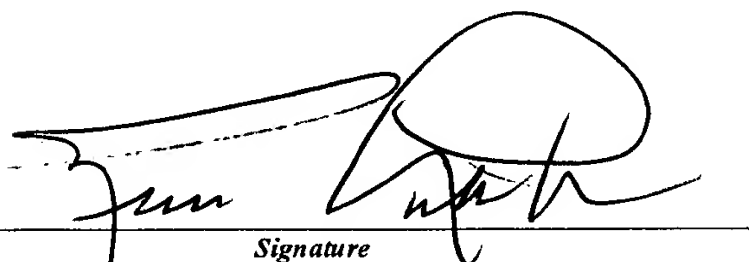
Check applicable statement herebelow:

**Statement Under 37 CFR 1.97(e)(1)**

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

**Statement Under 37 CFR 1.97(e)(2)**

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

  
Signature

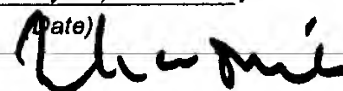
**Eugene Lieberstein**  
**Reg. No. 24,645**

Dated: **February 23, 2006**

**Certificate of Mailing by First Class Mail**

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**February 23, 2006**

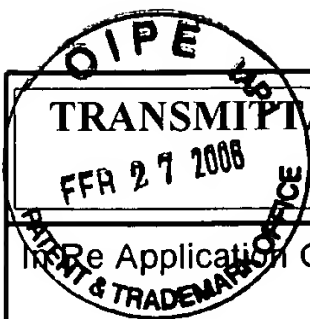


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**Nel Leonie**

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CC:



**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

**MM 4454**

Re Application Of:

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/910,208	20 July 2001		01109	1644	4894

Title:

Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

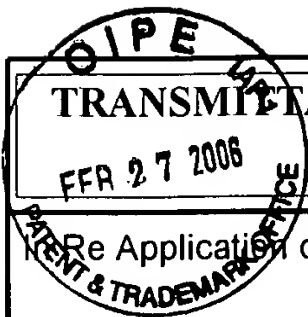
**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☒ the statement specified in 37 CFR 1.97(e);

**OR**

☐ the fee set forth in 37 CFR 1.17(p).



**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
**MM 4454**

Re Application of:

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/910,208	20 July 2001		01109	1644	4894

Title:

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☐ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

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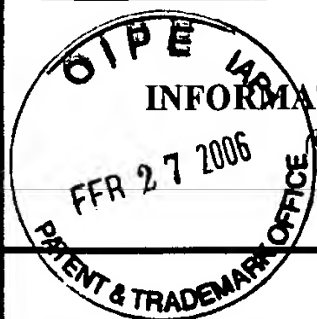
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Signature  
Eugene Lieberstein

Dated: **23** February 2006

CC:



## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

MM4454

Application Number

09/910,208

Applicant(s)

Jiro Hitomi, et al

Filing Date

July 20, 2001

Group Art Unit

1644

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		The Journal of Biological Chemistry 267, p. 19379-19382 (1992) Biochem. J. 309, page 395-401 (1995) (not enclosed as already cited in US Office Action dated 17 March 2005)
		Biochemical and Biophysical Research Communications 225, 0. 146-150 (1996) Copy of Office Action citing Japanese application.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.